



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/547,398	04/11/2000	Hiroshi Satomi	862.C1893	4944

5514 7590 12/18/2002

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT PAPER NUMBER

2685

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
**09/547,398**

Applicant(s)  
**Hiroshi Satomi et al.**

Examiner  
**Naghmeh Mehrpour**

Art Unit  
**2685**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 14, 18-20, 22, 24, 26, and 28 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14, 18-20, 22, 24, 26, and 28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 0, 9-11. 6) ☐ Other:

Art Unit: 2685

**Priority**

1. Receipt is acknowledged of papers submitted under 35 U.S. C. 119(a)-(d), which papers have been placed of record in the file.

**Information Disclosure Statement**

2. The information disclosure statement filed reference listed in the information Disclosure submitted on 09/27/01, 05/15/02, 6/11/02, 8/29/02 have been considered by the examiner (see attached PTO-1449).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 14, 17-20, 22, 24, 26, 28**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al. (US Patent Number 5,721,827) in view of Into Junichi Jpas 0581549.

Regarding **Claims 14, 22, 24, 26, 28**, Logan teaches a portable terminal/method/computer 103 comprising: a display 118 (See figure 1 col 6 lines 10-27) for displaying received information; an indicator 119 for performing an extraction of an information identification code and indicating a transmission of the information identification code to an external device 101, Logan keyboard is the indicator (col 3 lines 60-67, col 4 lines 5-7), which acquires information corresponding to the

Art Unit: 2685

information identification code by a same single physical key 119 by a single operation (col 1 lines 65-67, col 2 lines 1-6), wherein the information identification code specifies information stored in the external device 101 (col 5 lines 30-36) and indicates to the external device 101 to display a window (col 4 lines 34-40), an extraction unit 105 for, when an extraction of an information identification code is indicated by said indicator (col 5 lines 29-36), extracting at once all of an extractable information identification code from the information displayed by said display 118 (col 5 lines 45-67); a memory 105 for storing the information identification code extracted by said extraction unit 101 (col 3 lines 1-18); and a transmitter for, when transmission of an information identification code is indicated by said indicator, transmitting at once all of the information identification code stored in said memory to the external device 101 (col 5 lines 9-13 lines 50-60).

Logan fails to teach that the apparatus/method that indicates to the external device to display designing print conditions of the information. However Into Junichi teaches teach that the apparatus/method /computer that indicates to the external device to display designing print conditions of the information (abstract). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to provide above teaching of Into Junichi to Logan, in order retrieving data from output display to print.

Regarding Claim 18, Logan teaches an apparatus wherein the information identification code is information formed from numerical number (col 7 lines 1-7, col 11 lines 3-8).

Regarding Claim 19, Logan teaches an apparatus wherein comprising: an inquiry unit for after the information identification code is transmitted by the transmitter, inquiring whether the information

Art Unit: 2685

identification code stored in the memory is to be erased (col 5 lines 45-62, col 7 lines 45-55, col 10 lines 56-61).

Regarding **Claim 20**, Logan teaches an apparatus wherein an erase unit for erasing the information identification code is instructed as a result of an inquiry by the inquiry unit (col 5 lines 5 lines 45-67, col 7 lines 45-55).

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Sathyanarayan et al.** (US Patent 6,304,904) disclose Method and apparatus for collecting page-level performance statistics from a network device

**Segur** (US Patent 6,212,550 B1) disclose Method and system in a client server for automatically converting messages from a first format to a second format compatible with a message retrieving device

**Mony** (US Patent Number 6,009,383) disclose digital connection for voice activated serving on wireless network

6. **Any responses to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications indented for entry)

Art Unit: 2685

**Or:**

(703) 308-6306, (for informal or draft communications, please label

“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, Va., sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Melody Mehrpour whose telephone number is (703) 308-7159. The examiner can normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 6:30 a.m. to 5:00 p.m.

If attempt to reach the examiner are unsuccessful the examiner's supervisor, Edward F. Urban can be reached (703)305-4385.

NM

Dec 11, 2002

  
LESTER G. KINCAID  
PRIMARY EXAMINER

Application/Control Number: 09/547,398

Page 6

Art Unit: 2685